

JAP:ALC

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

**M 11-126**

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UNITED STATES OF AMERICA

- against -

C O M P L A I N T

RICHARDO MENDEZ-GUARIDO,  
also known as  
"Carlos Sanchez,"

(T. 8, U.S.C.,  
§§ 1326(a) and  
1326(b)(1))

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

JAMES ZAGARI, being duly sworn, deposes and states that he is an Immigration Enforcement Agent with United States Immigration and Customs Enforcement, Enforcement and Removal Operations, Department of Homeland Security, duly appointed according to law and acting as such.

On or about December 17, 2010, within the Eastern District of New York, the defendant RICHARDO MENDEZ-GUARIDO, also known as "Carlos Sanchez," being an alien who had previously been arrested and convicted of a felony, and was thereafter excluded and removed from the United States, and who had not made a re-application for admission to the United States to which the Secretary of the Department of Homeland Security, successor to the Attorney General of the United States, had expressly consented, was found in the United States.

(Title 8, United States Code, Sections 1326(a) and 1326(b)(1)).

The source of your deponent's information and the grounds for his belief are as follows:<sup>1/</sup>

1. I am an Immigration Enforcement Agent with ICE and have been involved in the investigation of numerous cases involving the illegal re-entry of aliens. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the ICE investigative file, including the defendant's criminal history record; and from reports of other law enforcement officers involved in the investigation.

2. On or about December 17, 2010, the defendant, RICHARDO MENDEZ-GUARIDO, also known as "Carlos Sanchez," was arrested by the New York City Police Department ("NYPD"), 110th Precinct, in Queens, New York. The defendant was arrested for Endangering the Welfare of a Vulnerable Elderly Person, in violation of Section 260.32 the New York State Penal Law. The defendant used the name "Carlos Sanchez" in connection with this arrest.

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<sup>1/</sup> Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all of the relevant facts and circumstances of which I am aware.

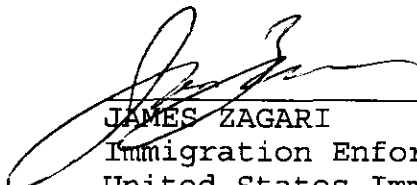
3. Following notification by law enforcement of the defendant's arrest, ICE officials determined that on or about April 28, 2005, the defendant RICHARDO MENDEZ-GUARIDO, also known as "Carlos Sanchez," had been convicted of Criminal Possession of a Forged Instrument in the Second Degree, in violation of Section 170.25 of the New York Penal Law, a Class D felony offense.

4. ICE records further revealed that the defendant, a citizen of Mexico, had been previously removed from the United States on June 21, 2005, and again on April 11, 2006, pursuant to an Order of Removal dated June 8, 2005.

5. An ICE official with fingerprint analysis training compared the fingerprints taken in connection with the defendant's arrest underlying his April 28, 2005 conviction; the fingerprints taken in connection with the defendant's June 21, 2005 removal; and the fingerprints taken in connection with the defendant's December 17, 2010, arrest, and determined that all three sets of fingerprints were made by the same individual.

6. A search of ICE records has revealed that there exists no request by the defendant RICHARDO MENDEZ-GUARIDO, also known as "Carlos Sanchez," for permission from either the United States Attorney General or the Secretary of the Department of Homeland Security to re-enter the United States after removal.

WHEREFORE, your deponent respectfully requests that the defendant RICHARDO MENDEZ-GUARIDO, also known as "Carlos Sanchez," be dealt with according to law.

  
JAMES ZAGARI  
Immigration Enforcement Agent  
United States Immigration and  
Customs Enforcement

Sworn to before me this  
3rd day of February, 2011

  
UNITED STATES  
EASTERN DISTRICT OF NEW YORK

S/ Bloom